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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/727,191

Applicant(s)

BRACEWELL ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on April 25, 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-7,10-22,24-38,40 and 41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,10-22,24-38,40 and 41 is/are rejected.
- 7) ☒ Claim(s) 17,19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

This Office Action is in response to Applicants' Amendment and Request for Reconsideration filed on April 25, 2005. Claims 1, 3, 15, 22, 24-27, 35-38, 40 and 41 have been amended.

Claims 1, 3-7, 10-22, 24-38 and 40-41 are presented for further examination.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1, 3-7, 10-22, 24-38 and 40-41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Courts et al (hereinafter, "Courts", 6,076,108) in view of Hayton and in further view of Gibbons et al (hereinafter, "Gibbons", 5,689,696).

As per claims **1, 35 and 36**, Courts discloses a system to facilitate a remote user accessing an application across a stateless protocol comprising:

- a component for caching data associated with the remote user access, the data comprising state and user specific information (abstract, col. 1, lines 45-62, col. 9, lines 1-11, lines 63-67 and col. 10, lines 1-18).

However, Courts does not explicitly disclose:

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- a component for managing memory storing at least one the state and specific information, wherein the user specific information and the state information are stored in a user context object; and
- the memory managing component reclaims resources allocated to the user context object upon a determination that the user context object has not been accessed within a predetermined threshold period of time.

Hayton discloses an activity monitor and resource manager in a network environment including:

- a component for managing memory storing the state and/or specific information, wherein the user specific information and the state information are stored in a user context object (abstract, col. 6, lines 41-51 and col. 8, lines 35-45); and
- the memory managing component reclaims resources allocated to the user context object upon a determination that the user context object has not been accessed within a predetermined threshold period of time (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states

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for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

Courts in view of Hayton disclose the invention substantially as claims discussed above.

However, Courts in view of Hayton does not explicitly disclose:

- the pre-determined threshold period of time can be dynamically changed based, at least in part, on feedback concerning usage of one or more user context objects.

Gibbons discloses a method for maintaining information associated with items in a database of limited memory comprising:

- the pre-determined threshold period of time can be dynamically changed based, at least in part, on feedback concerning usage of one or more user context objects (abstract and col. 6, lines 26-36).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Gibbons' teachings of a method for maintaining information associated with items in a database of limited memory with the teachings of Courts in view of Hayton for the purpose of ensuring that the size of the task memory does not exceed the specified amount in order to limit the amount of information stored.

As per claims 22, 38 and 41, Courts discloses a method for facilitating remote access to an application, the access occurring across a stateless protocol, comprising:

- allocating memory to cache at least one of state and user specific information associated with the remote access (col. 6, lines 31-39, col. 7, lines 43-51, lines 59-67 and col. 8, lines 1-32);

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- caching the state information associated with the remote access of the application in the allocated memory (col. 6, lines 31-39, col. 7, lines 43-51, lines 59-67 and col. 8, lines 1-32); and
- caching the user specific information associated with the remote access of the application in the allocated memory (col. 6, lines 31-39, col. 7, lines 43-51, lines 59-67 and col. 8, lines 1-32).

However, Courts does not explicitly disclose:

- selectively reclaiming the memory allocated to cache the at least one of state and user specific information associated with the user remote access, the reclaiming occurring upon the allocated memory not being used within a pre-determined period of time.

Hayton discloses an activity monitor and resource manager in a network environment including:

- selectively reclaiming the memory allocated to cache the state and/or user specific information associated with the user remote access, the reclaiming occurring upon the allocated memory not being used within a pre-determined period of time (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus,

Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

Courts in view of Hayton disclose the invention substantially as claims discussed above.

However, Courts in view of Hayton does not explicitly disclose:

- the pre-determined period of time can be dynamically changed based, at least in part, on feedback concerning the allocation of memory.

Gibbons discloses a method for maintaining information associated with items in a database of limited memory comprising:

- the pre-determined period of time can be dynamically changed based, at least in part, on feedback concerning the allocation of memory (abstract and col. 6, lines 26-36).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the Gibbons' teachings of a method for maintaining information associated with items in a database of limited memory with the teachings of Courts in view of Hayton for the purpose of ensuring that the size of the task memory does not exceed the specified amount in order to limit the amount of information stored.

As per claim 3, Courts discloses the user specific information comprising at least one of:

- a record of views accessible to the remote user, a record of views recently displayed to the remote user, a record of folders recently accessed by the remote user, a record of URLs for folders commonly accessed by the remote user, a record of at least one of

messages and folders moved or copied by the remote user and email addresses for the remote user (col. 4, lines 20-369 and col. 7, lines 44-52).

As per claims 4 and 28, Courts discloses the state information comprising at least one of:

- a record of one or more entities involved in a process requiring multiple requests from the remote user via the stateless protocol (col. 1, lines 25-36, col. 6, lines 62-67, col. 7, lines 1-8 and col. 9, lines 16-28).

As per claims 5 and 29, Courts discloses the entities comprising at least one of

- memory locations, folders, directories, messages, objects, processes, threads, records, files and data (col. 9, lines 63-67 and col. 10, lines 1-18).

As per claims 6 and 30, Courts discloses:

- wherein the stateless protocol is HTTP (col. 1, lines 25-27 and col. 6, lines 64-67).

As per claims 7 and 31, Courts discloses the application comprising at least one of:

- email, chat sessions, database programs, video games., web-enabled applications and search engines (col. 6, lines 31-39).

As per claim 10, Courts discloses:

- wherein the user context object is assigned a globally unique identifier (col. 6, lines 31-36, col. 9, lines 63-67 and col. 10, lines 1-18).

As per claim 11, Courts discloses:

- wherein the memory managing component manages one or more users context objects (col. 6, lines 31-36, col. 9, lines 63-67 and col. 10, lines 1-18).

As per claim 13, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:



- wherein the memory managing component reclaims resources allocated to a user context object upon a determination that the user context object has not been accessed within a pre-determined threshold period of time, the resources including at least one of memory, data communications devices, processor and network bandwidth.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein the memory managing component reclaims resources allocated to a user context object upon a determination that the user context object has not been accessed within a pre-determined threshold period of time, the resources including at least one of memory, data communications devices, processor and network bandwidth (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43, col. 6, lines 20-40 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim 15, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- wherein the pre-determined threshold period of time can be dynamically increased based, at least in part, on feedback concerning increased usage of one or more user context objects.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein the pre-determined threshold period of time can be dynamically increased based, at least in part, on feedback concerning increased usage of one or more user context objects (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim 16, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- a monitoring component, operable to feedback information concerning usage of one or more user context objects.

Hayton discloses an activity monitor and resource manager in a network environment including:

- a monitoring component, operable to feedback information concerning usage of one or more user context objects (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim 17, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

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- wherein more resources are allocated to a user context object when the feedback information indicates that the user context object has been utilized more than a first pre-determined threshold level.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein more resources are allocated to a user context object when the feedback information indicates that the user context object has been utilized more than a first pre-determined threshold level (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim **19**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- wherein the resources are reclaimed from a user context objects when the feedback information indicates that the user context object has been utilized less than a second pre-determined threshold level.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein the resources are reclaimed from a user context objects when the feedback information indicates that the user context object has been utilized less than a second pre-determined threshold level (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claims 18 and 20, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose the resources comprising at least of:

- memory, processor time, communication devices and network bandwidth.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein the resources comprising at least of memory, processor time, communication devices and network bandwidth (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43, col. 6, lines 20-40 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claims **14** and **24**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- wherein the pre-determined threshold period of time is one hour.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein the pre-determined threshold period of time is one hour (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim **25**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- the pre-determined period of time being dynamically adjustable based, at least in part on feedback concerning the usage of the allocated memory associated with the remote access.

Hayton discloses an activity monitor and resource manager in a network environment including:

- the pre-determined period of time being dynamically adjustable based, at least in part on feedback concerning the usage of the allocated memory associated with the remote

access (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim **26**, Courts further discloses:

- assigning a globally unique identifier to the memory allocated to cache the at least one of state and user specific information (col. 6, lines 31-36, col. 9, lines 63-67 and col. 10, lines 1-18).

As per claims **12** and **27**, Courts further discloses:

- locating the at least one of state and user specific information via an algorithm, the algorithm employing the globally unique identifier, a locale identifier, a mailbox identifier and a security identifier (col. 6, lines 50-61).

As per claim **32**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:



- receiving feedback information concerning usage of one or more user context objects;  
and
- allocating, more resources to a user context object, based at least in part, on the feedback information.

Hayton discloses an activity monitor and resource manager in a network environment including:

- receiving feedback information concerning usage of one or more user context objects (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 25-43 and col. 7, lines 4-26); and
- allocating, more resources to a user context object, based at least in part, on the feedback information (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim **33**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- de-allocating resources from a user context object, based at least in part, on the feedback information.

Hayton discloses an activity monitor and resource manager in a network environment including:

- de-allocating resources from a user context object, based at least in part, on the feedback information (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claims **21** and **34**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

- wherein the resources are shifted between one or more user context objects based, at least in part on feedback information.

Hayton discloses an activity monitor and resource manager in a network environment including:

- wherein the resources are shifted between one or more user context objects based, at least in part on feedback information (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

As per claim **37**, Courts discloses:

- component for managing memory storing the state and/or user specific information (abstract, col. 1, lines 45-62, col. 9, lines 1-11, lines 63-67 and col. 10, lines 1-18).

As per claim **40**, Courts discloses the invention substantially as claims discussed above.

However, Courts does not explicitly disclose:

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- computer executable instructions operable to dynamically reallocate resources to or from one or more user context objects based, at least in part, on feedback information received from one or more monitoring components.

Hayton discloses an activity monitor and resource manager in a network environment including:

- computer executable instructions operable to dynamically reallocate resources to or from one or more user context objects based, at least in part, on feedback information received from one or more monitoring components (abstract, col. 3, lines 45-57, col. 4, lines 11-30, col. 5, lines 5-16, lines 25-43 and col. 7, lines 4-26).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Hayton's teachings of an apparatus and method for monitoring the activity level of user by a network and managing the network resources with the teachings of Courts for the purpose of allowing a server to manage its resources in the most efficient manner while at the same time creating substantially seamless interaction with the user on the client, in response to the use's activity level [see Hayton, Col. 1, lines 51-59]. Thus, Courts provide the motivation to combine utilizing a system and method for maintaining states for user sessions with a web system as well as effectively managing the server load and other speed issues to allow the server to quickly associate a state with a particular user [see Courts, col. 1, lines 63-67 and col. 2, lines 1-6].

***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 3-7, 10-11, 13-22, 24-26, 28-38 and 40-41 have been considered but are moot in view of the new ground(s) of rejection.

***Allowable Subject Matter***

4. Claims 17 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,710,789 to Jacobs et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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